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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/345,820 06/30/99 SHIMADA

L 13065.36.1.1

EXAMINER

TM02/0509

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ART UNIT

PAPER NUMBER

2164

DATE MAILED:

05/09/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Bx

# Office Action Summary

Application No.

09/345,820

Applicant(s)

SHIMADA, Lynn Y.

Examiner

First Last

Art Unit

1234

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on Jun 30, 1999

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) 1-7 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-7 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4

20) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The preamble recitation in lines 1-2 of claims 1-7 is vague and confusing concerning the precise scope of the claimed invention. It is unclear whether a novel method of using an existing, known, prior art electronic payment system is being recited or whether a novel electronic payment method is recited in combination with a particular novel/known electronic payment system, or some other configuration is intended.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al, U.S. patent 6,058,380, in view of Gilai et al, U.S. patent 6,018,736.

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Anderson et al disclose an electronic payment method, including receiving a vendor identifier, consulting a vendor database and retrieving and presenting a preferred payment method identifier (e.g., column 9, line 55 et seq; column 12, line 62 et seq; column 10, line 65 et seq; column 13, line 45 et seq; column 16, line 19 et seq; *cf.* relational database at column 15, line 47 et seq). Anderson et al do not disclose phonetic matching per se (*cf.*, discussion of database parametric filtering at column 6, line 1 et seq; column 8, line 57 et seq). Gilai et al disclose an electronic method that could be used for payments (e.g., column 4, line 48 et seq) and that utilizes phonetic matching to provide lists from a database pursuant to a user-initiated database search (e.g., column 6, line 50 et seq; column 7, line 5 et seq). Phonetic matching provides an improved means of retrieving relevant information from a database in which user input may be erroneous (e.g., column 3, line 1 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide phonetic matching of vendor database identifiers, as taught by Gilai et al, on the method of Anderson et al to facilitate payment of vendor accounts.

Anderson et al also disclose an accounts payable database (e.g., at 66) (e.g., Figures 1-3; column 7, line 55 et seq; column 9, line 55 et seq; column 11, line 37 et seq), check drafting and electronic payments (e.g., column 10, line 7 et seq; column 10, line 23 et seq), changing vendor payment methods (e.g., via update of vendor master file at column 12, line 62 et seq; column 13, line 7 et seq), referencing a database and presenting vendor for verification (e.g., invoice review at column 7, line 52 et seq), and accounting software application (e.g., Figures 1, 2, 4-6; column 2, line 7 et seq). Anderson et al do not disclose vendor identifier approximation determination. Gilai et al disclose identifier approximation (e.g., column 7, line 57 et seq). A user-supplied

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identifier approximation method provides an improved means for extracting pertinent information from a database (e.g., column 8, line 1 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a means of approximating and verifying user-provided identifiers as a means to facilitate information extraction from a database.

*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Crooks et al, U.S. patent 5,943,656.
- b. Noble et al, U.S. patent 5,926,810.
- c. Daly et al, U.S. patent 5,878,141.
- d. Kight et al, U.S. patent 5,873,072.
- e. IBM Technical Disclosure Bulletin, vol. 19, n. 5, pp. 1917-1919, October 1, 1976.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim Calve, whose telephone number is (703) 308-1884. The examiner can be reached on Monday through Friday from 6:45 am to 6:45 pm. If the examiner is unavailable, the examiner's supervisor, Vincent Millin, may be reached at 703-308-1065. The fax number of the organization is 703-305-9051/9052. Any inquiry of a general nature should be directed to the receptionist at 703-305-3900.

JPC  
JPC

  
VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

May 4, 2001